

LaMonica Herbst & Maniscalco, LLP
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Salvatore LaMonica, Esq.

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

JEAN-PAUL W. VIVIAN,

Chapter 13
Case No.

Debtor,

CHAPTER 13 PLAN

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1. The future earnings of the Debtor are submitted to the supervision and control of the Trustee and the Debtor shall pay to the Trustee for a total period of 60 months, the sum of \$64,424.58, as follows:

\$1,073.74 per month commencing October 28, 2015 through and including September 28, 2020 for a period of 60 months;

2. From the payments so received, the Trustee shall make disbursements as follows:

(a) Full payment in deferred cash payments of all claims entitled to priority under 11 U.S.C. Section 507.

- Full payment of \$1,500.00 in legal fees to LaMonica Herbst & Maniscalco, LLP for legal services provided post-petition.

3. Holders of allowed secured claims shall retain the liens securing such claims and shall be paid as follows:

ALL POST PETITION PAYMENTS, INCLUDING BUT NOT LIMITED TO, MORTGAGE PAYMENTS, VEHICLE PAYMENTS, REAL ESTATE TAXES and INCOME TAXES, TO BE MADE OUTSIDE THE PLAN BY THE DEBTOR(S)

- Payments to M&T Bank, loan number ending in 0001 secured by the Debtor's leased 2013 Chevrolet Malibu, are current as of the filing date and post-petition payments shall be made outside of the plan.

(c) Subsequent and/or concurrently with distribution to secured creditors, dividends to unsecured creditors whose claims are duly allowed as follows: PRO RATA distribution to all timely filed proofs of claim of not less than \$57,067.80 or 30%.

4. All lease agreements are hereby assumed, unless specifically rejected as follows:

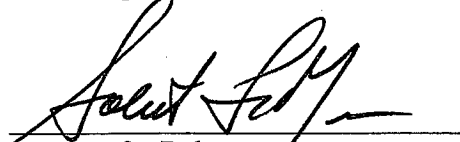
- None

5. The following executory contracts of the Debtor are rejected: None

6. During the pendency of this case, if unsecured creditors are paid, pursuant to paragraph 2(c), less than one hundred percent (100%), the Debtor shall provide the Trustee with signed copies of their filed federal and state tax returns commencing with the 2015 tax year, no later than April 15th of the year following the tax period. Indicated tax refunds commencing with the 2015 tax year are to be paid to the Trustee upon receipt which are in addition to any monthly plan payments made; however, no later than June 15th of the year in which the tax returns are filed.

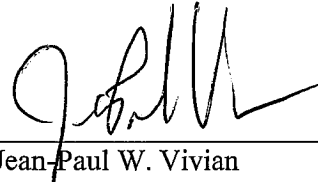
Title to the Debtor's property, shall re-vest in the Debtor upon completion of the plan or dismissal of the case, unless otherwise provided in the Order confirming this plan. Throughout the term of this plan, the debtor(s) will not incur post-petition debt over \$1,500.00 without written consent of the Chapter 13 trustee or the Court.

Dated: September 23, 2015



Attorney for Debtor
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Jean-Paul W. Vivian